

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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HILDA ORTIZ,

Plaintiff,

-against-

CAESAR'S ENTERTAINMENT
OPERATING COMPANY, INC.,

Defendant.

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POLLAK, United States Magistrate Judge:

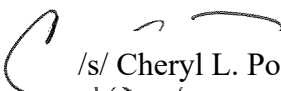
ORDER
14 CV 3955 (DLI) (CLP)

On June 28, 2018, plaintiff Hilda Ortiz filed an Offer of Judgment under Rule 68 of the Federal Rules of Civil Procedure. (See generally Pl.'s Offer of Judgment, June 28, 2018, ECF No. 19). Although an offer of judgment must be served as provided in Rule of Civil Procedure 5(b), it may not be filed with the Court unless the opposing party serves written notice accepting the offer. See Fed. R. Civ. P. 68(a). Indeed, a "defendant should not file the offer [of judgment] with the court, but if that is done by mistake the remedy is to strike the offer from the court's file." 12 Charles A. Wright *et al.*, Federal Practice and Procedure § 3002 (2d ed., Apr. 2018 Update). Accordingly, the Clerk of Court is directed to strike the offer of judgment filed at ECF No. 19 from the docket.

The Clerk is directed to send copies of this Order to the parties either electronically through the Electronic Case Filing (ECF) system or by mail.

SO ORDERED.

Dated: Brooklyn, New York
June 28, 2018



/s/ Cheryl L. Pollak
Cheryl L. Pollak
United States Magistrate Judge
Eastern District of New York